

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

JULIA JUNGE, and RICHARD JUNGE, on
behalf of themselves and a class of similarly
situated investors,

Plaintiffs,

v.

GERON CORPORATION, and JOHN A.
SCARLETT,

Defendants.

No. C 20-00547 WHA

Consolidated with C 20-01163 WHA

Related to C 20-02823; MC 22-80051

**REFERRAL TO UNITED STATES
ATTORNEY**

On March 10, 2023, Jose Velazquez submitted an objection against the proposed \$24 million settlement in the above-entitled class action (Dkt. No. 59 in *3:22-mc-80051 WHA*). Class counsel responded to the objection in a filing which showed that, according to records submitted by Objector Velazquez, he did not lose money on the transaction in question but instead made a gain (Dkt. No. 270). Thus, he is not entitled to any proceeds from the settlement, as only class members who lost money during the class period will be compensated. Evidently frustrated at counsel's response, Objector Velazquez submitted another letter, dated April 13, 2023, which states in part:

Since your firm wants to act like a bunch of Greedy Blood sucking Parasite pieces of shit. This is my new request. Settle with me for \$10,000 and not a penny more or a penny less to remove me and only me from the equation of the case.

But, if you don't, that's fine.

I will contact the judge and ask for a delay of the settlement talks and your recent court filing while I look for other participants in this Class Action Lawsuit who are being screwed by your firm. If I have to hire a lawyer and look for other participants, the 10,000

will be off the table and it will go up. I will make sure I ask my lawyer for more and you will pay my fees because you made this a bigger issue that it needed to be.

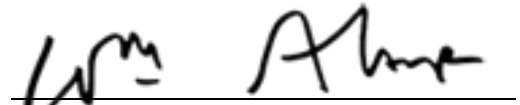
You have one week to decide. I don't care how you decide, I will do what needs to be done and I will play whatever **cards** I need to play.

(emphasis in original). An order subsequently issued directing Objector Velazquez to appear in-person and show cause why his communications with class counsel should not be referred to the government for investigation of possible wire fraud, mail fraud, or extortion (Dkt. No. 284). Objector Velazquez did not appear to the hearing.

This order **REFERS** the matter of Objector Velazquez to the United States Attorney for the Northern District of California. It is of course up to the prosecutor whether to initiate any criminal proceedings, a question on which this Court takes no position. The courtroom deputy clerk shall please deliver a copy of this order to the office of the United States Attorney.

IT IS SO ORDERED.

Dated: May 25, 2023.


 WILLIAM ALSUP
 UNITED STATES DISTRICT JUDGE